United Nations A/56/PV.64

# General Assembly

Official Records

Fifty-sixth session

**64**th plenary meeting
Tuesday, 27 November 2001, 10 a.m.
New York

*President:* Mr. Han Seung-soo ..... (Republic of Korea)

*In the absence of the President, Mr. Rosenthal (Guatemala), Vice-President, took the Chair.*

*The meeting was called to order at 10.10 a.m.*

**Agenda item 125** (*continued*)

**Scale of assessments for the apportionment of the expenses of the United Nations** (A/56/345/Add.1)

**The Acting President** (*spoke in Spanish*): I should like to inform members that, since the issuance of document A/56/345, Seychelles has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

*It was so decided.*

**Agenda item 34**

**Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba**

**Report of the Secretary-General** (A/56/276 and Add.1)

**Draft resolution** (A/56/L.9)

**Mr. Hasmy** (Malaysia): The issue before us this morning is of great importance not only to Cuba but also to other States Members of the Organization, as it has serious implications for them. Since the forty-seventh session of the General Assembly, Member States have rejected the use of unilateral trade measures by one Member State to effect political reforms in another. Similarly, the General Assembly's adoption of resolution 55/20 on 9 November last year, with positive votes from more than two thirds of the membership of the Organization, reflected the wish of an overwhelming number of Member States that that policy be terminated. We are certain that there will be overwhelming rejection of the unilateral embargo on Cuba at the present session as well.

My delegation welcomes the report of the Secretary-General, contained in documents A/56/276 and A/56/276/Add.1. Virtually all the replies outlined in the report, from 75 Member States or groups of States and from relevant United Nations organs and agencies, called for an immediate end to the unilateral embargo on Cuba. That clearly reflects the common view that the extraterritorial application of what is essentially a domestic law infringes on the sovereignty and legitimate interests of States and is inconsistent with the provisions of the Charter of the United Nations.

Malaysia remains strongly opposed to all forms of economic, commercial or financial sanctions or embargoes on States, which run counter to the spirit of the Charter of the Organization. We therefore view with concern the continued application of a unilateral policy of coercive economic, commercial and financial embargo against Cuba. The application of laws, in particular the "Helms-Burton Act" of 1996, which are

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

01-65994 (E)

intended, inter alia, to restrict the access of Cuba to markets, capital, technology and investment in order exert pressure on it to change its political and economic system and orientation is a flagrant violation of the principles of international law, the Charter of the United Nations, the World Trade Organization and numerous General Assembly resolutions. It is discriminatory in nature and undermines the principle of the sovereign equality of States and fundamental human rights.

The economic blockade against Cuba is not only a violation of international law, but, as confirmed by various reports, violates the right of the people of Cuba to life, to well-being and to development without distinction as to age, gender, race, religious belief, social situation or political ideology. The embargo has caused tremendous economic damage and has aggravated the plight of the Cuban people.

As a staunch advocate of free trade and of relations between nations based on respect for the norms and principles of international law, the United States would do well to re-think its overall approach towards Cuba and to cause its policy of isolating its small neighbour to evolve into a policy of dialogue and accommodation. That approach would be consistent with the process we have launched here at the United Nations with the proclamation of 2001 as the United Nations Year of Dialogue among Civilizations. Clearly, dialogue and engagement among countries and among civilizations, not isolation and confrontation, are the way of the future.

It is our fervent hope that, in the new spirit of the times and at a time of increasing globalization and interdependence among States, the United States will be able to make its Cuba policy evolve into one with a more realistic orientation and to put its relationship with its neighbour on a new footing.

Malaysia welcomes some positive developments in that direction, such as the recent measures allowing a few United States companies to supply medicines and foodstuffs to Cuba on humanitarian grounds. That is indeed a positive step in the right direction. However, like the rest of the international community, Malaysia would like to see the early and complete removal of the embargo.

Malaysia once again reaffirms its commitment to respect for the fundamental principles of the sovereign equality of States, non-interference in the internal affairs of other States, and freedom of international trade and navigation. We urge the international community to continue its efforts to bring about an end to the unilateral economic, commercial and financial embargo against Cuba. In support of the principles of international law and the United Nations Charter, and in support of the promotion of freedom of trade, Malaysia, as it did in the case of similar draft resolutions in previous years, will vote in favour of draft resolution A/56/L.9.

**Mr. Nejad Hosseinian** (Islamic Republic of Iran): I wish at the outset to express my delegation's appreciation to the Secretary-General for the report (A/56/276 and Add.1) he has submitted to the General Assembly on this agenda item. It is a valuable compilation of the views of a wide range of Governments and of funds, programmes, organs and agencies of the United Nations system. As is indicated in the report, the focus of various replies by Member States is on the principles and purposes of the Charter of the United Nations, which constitute the heart of the whole matter.

The views of the Government of the Islamic Republic of Iran on the economic, commercial and financial embargo imposed by the United States against Cuba and on the need to end it are known to the Assembly and, for our immediate purpose, are included in the report under consideration. However, I would like to take the opportunity to underline the main thrust of our views and draw attention to the various aspects of this matter.

The economic, commercial and financial embargo imposed against Cuba contravenes all laws and principles governing international relations, the provisions of the United Nations Charter, as well as laws governing international trade and related conventions. All of us here at the General Assembly, irrespective of our difference, seem to agree as a matter of principle that the promotion of international cooperation and friendly relations among States and the strengthening of our commitment to the purposes and principles of the United Nations Charter and international law constitute the most basic and fundamental purpose of the creation of this world organization. We could also collectively agree that respect for the sovereign equality of States, non-interference in the internal affairs of other States, the peaceful settlement of disputes and other relevant norms governing international relations have been

among the major objectives of the United Nations and should be duly respected. Furthermore, more than ever before, the international community has come to the understanding that common efforts towards resolving tensions through peaceful dialogue and negotiations based on equity, mutual respect and the promotion of friendly relations among States at both the regional and global levels is imperative for the maintenance of peace and security and the achievement of development. The final outcome of the Millennium Summit should serve as a vivid reminder to all of us in this regard.

Within the overall global framework geared to promote of an international environment conducive to strengthening constructive dialogue and genuine cooperation and partnership, the recourse to unilateral, coercive economic measures represents an anomaly and hence is unacceptable. The principles and norms of international law that proscribe such practices are many indeed, including, inter alia, those in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Universal Declaration on the Eradication of Hunger and Malnutrition, the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States.

It is also a matter of disappointment and concern that such practices and measures have not only not alleviated with time, but have instead been on the rise. There is little disagreement in the international community that such policies and measures constitute major impediments to the free flow of trade and finance, limit the access of countries to the necessary means of development, in particular, to financial resources, and thus hamper the achievement of economic cooperation and development at various levels, especially at the subregional and regional levels. Therefore, in order to address such a negative impact, it is incumbent upon all countries to refrain from recourse to such measures and actions. Moreover, it is imperative that the international community should reject the promulgation and application of unilateral actions, laws and regulations whose extraterritorial impact adversely affect the sovereignty and economic, commercial and financial interests of other States, as well as the legitimate interests of entities or persons under their jurisdiction. Over and above their negative impact on economic cooperation and development, such measures and actions also adversely affect the social and humanitarian activities of the targeted country and consequently hinder the full realization of the human rights of the targeted people.

As you are fully aware, in almost all United Nations resolutions and decisions on financial and commercial issues and related final declarations and conclusions of the high-level meetings of the entire United Nations system, the critical need for an equitable, secure, non-discriminatory international economic system and of a predictable multilateral trading system has been emphasized. The necessity of a favourable and conducive international economic and financial environment and a positive investment climate, which facilitate the meaningful integration and interaction of the developing countries in international trade and financial systems, has also been adopted by consensus by this very Assembly, as well as by other relevant multilateral and international organizations, year after year. These collective decisions and pronouncements have, among others, also requested all countries to abolish all measures that could impede free international trade and financial transactions. In a number of high-level meetings within the United Nations, Member States have reaffirmed and renewed their commitments to uphold and strengthen the multilateral trading system for the economic and social advancement of all countries and peoples.

While referring to these important issues, I would like as well to draw the attention of this body to another agreed cardinal principle governing the relations among States as constituents of the international community. We all have to respect the principle that it is the undeniable right of every State to choose its political, economic, social and cultural system, without interference in any form by another State. Since the ultimate objective of recourse to unilateral coercive measures in all its forms is to create political and economic difficulty and instability in the targeted countries, the Islamic Republic of Iran, like almost all other members of the international community, advocates the complete removal and elimination of economic and trade embargo imposed against Cuba and believes that the differences between States should be settled through peaceful measures.

While highlighting the various adverse impacts of any economic embargo and recognizing the economic, social and financial difficulties and challenges the Cuban nation has been facing as a result of this embargo, my delegation, like other members of the Group of 77, believes that the economic embargo serves no other purpose than to preserve tension between the two neighbouring countries and to continue the suffering of the Cuban nation. It would like to extend its support, once again, to any step that the General Assembly may wish to take to resolve the issue under consideration through peaceful means and on the basis of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States. Therefore, my delegation will vote in favour of the draft resolution on this agenda item.

**Ms. Ndhlovu** (South Africa): We are today once again addressing item 34, "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". We are here to reaffirm our conviction in a better world for all — a world in which nations can peacefully coexist and the international laws that guide all civilized States are observed.

The international community has repeatedly and consistently called for the lifting of this embargo. We agree that it is the right thing to do. For more than 40 years, the people of Cuba have suffered from this relentless and unilateral embargo. The tragedy of this embargo is that it continues to cause untold suffering for the people of Cuba. The daily lives of men, women and children in Cuba have been seriously affected by policies beyond their control. It is no wonder, therefore, that the overwhelming majority of Member States are here to rally in support of the draft resolution before us, and we are here to echo that voice of reason.

At the thirteenth Ministerial Conference of the Non-Aligned Movement, held in Cartagena in April last year, a call was made to the Government of the United States

> "to put an end to the economic, commercial and financial embargo against Cuba, which, in addition to being unilateral and contrary to the United Nations Charter and international law, and to the principle of neighbourliness, is causing huge material losses and economic damage to the people of Cuba."

The Ministers further expressed their

> "deep concern over the widening of the extra-territorial nature of the embargo against Cuba and over continuous new legislative measures geared to intensifying it."

These sentiments were echoed at the Meeting of Ministers of Foreign Affairs and Heads of Delegation of the Non-Aligned Movement, which recently took place here in New York on 14 November 2001. In their communiqué, the Ministers condemned

> "the continued application by certain countries of extra-territorial measures and legislation and their imposition of unilateral coercive economic measures against certain developing countries, with a view to preventing these countries from exercising their right to determine, with their total free will, their own political, economic and social system. We call on all States not to recognize the unilateral extra-territorial laws ... since these measures and legislation threaten the sovereignty of States, adversely affect their social and economic development, and are contrary to international law, the principles and purposes of the United Nations charter, the norms and principles governing peaceful relations among States, and agreed principles of the multilateral trading system."

My delegation fully associates itself with the views expressed at the summit and at the Non-Aligned Movement Ministerial meeting. We call on all countries to reject the unilateral extra-territorial imposed against Cuba, because they stand in stark contrast to the international laws that guide all civilized States. The United Nations Charter is an embodiment of the vision, mission, principles and obligations by which all signatories to the Charter must abide. They specifically include the equality of all Member States and non-intervention and non-interference in the domestic affairs of other States. Freedom to trade internationally is an integral part of many international legal instruments.

South Africa views the continued imposition of an economic, commercial and financial embargo by the United States of America against the Republic of Cuba as a flagrant violation of the principle of the sovereign equality of States and of non-intervention and non-interference in the domestic affairs of Cuba. We are guided by these basic norms of international conduct in

our principled support for the need to eliminate coercive economic measures as a means of political and economic compulsion.

In line with previous United Nations resolutions on this item, among others, South Africa believes that constructive dialogue can foster mutual trust and understanding as well as engender harmony and peaceful coexistence between both nations. South Africa will once again support the draft resolution to be considered by the General Assembly under this item. This, we believe, is the least that we can do for the Cuban people.

**Mr. Navarrete** (Mexico) (*spoke in Spanish*): The principles of the Charter of the United Nations and of international law constitute the basis for relations between Mexico and other States, as laid down in my country's political Constitution.

It is with profound conviction and a sense of history that my country has consistently rejected the unilateral imposition of coercive measures in international relations. On many occasions we have expressed our rejection of any political or economic sanctions that are not imposed by the Security Council or the General Assembly.

We have also repeatedly expressed our rejection of the economic, commercial and financial blockade against Cuba and have supported all resolutions adopted by the General Assembly on the need to put an end to it.

Mexico is committed to the inalienable right of all States to choose their own economic system as well as their own political, social and cultural system, in accordance with the will of their peoples.

That is why my country has not promulgated or applied legal provisions of any extra-territorial scope. Before the promulgation of the so-called Helms-Burton law, the Government of Mexico had asserted that that instrument contravened the norms of international law. Our position was shared by the Inter-American Juridical Committee in its opinion dated 4 June 1996.

In order to eliminate the potential negative effects of the extra-territorial measures taken by other States on Mexico's external trade, my Government promulgated a law on the protection of trade and on the reversal of foreign laws that contravene international law.

We in Mexico maintain friendly and respectful relations with the Republic of Cuba. We have a non-discriminatory trade policy with regard to that country and reject any attempt to undermine the economic ties that link us.

The Government of Mexico has provided various forms of financial assistance to Cuba through the National Bank for Foreign Trade, and it is currently negotiating a financial instrument through which we hope to increase our bilateral commercial exchanges. Since 30 May 2001, both countries have been able to rely on an agreement for the reciprocal promotion and protection of investments.

The embargo against Cuba must end. Mexico deplores the negative effects which the economic, commercial and financial blockade has had on the Cuban people. Over the past nine years, an overwhelming majority of members of the General Assembly have called upon Member States to refrain from passing and applying extraterritorial laws and measures. Today, it will do so for the tenth time. In accordance with our unalterable position of principle, the delegation of Mexico will vote in favour of the draft resolution in document A/56/L.9.

**Mr. Mekdad** (Syrian Arab Republic) (*spoke in Arabic*): The General Assembly has for the past nine years considered the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba." This is the tenth year that this item has been included on the agenda of the General Assembly, and international support for an end to the embargo against Cuba continues to increase. The Syrian Arab Republic had hoped that by now the circumstances that gave rise to the inclusion of this item on the agenda would have changed and that the embargo imposed by the United States against Cuba would no longer be in place. The purposes and principles of the United Nations Charter clearly reaffirm the right of peoples to exercise sovereignty over their own territory and the duty to refrain from intervening in the internal affairs of other States. We expect all Members of the United Nations, particularly the great Powers, to respect the United Nations Charter, which is the constitution of this Organization — its alpha and omega. Indeed, respect for the Charter is the cornerstone of this international Organization and its international activities. The unilateral application of coercive extraterritorial economic and commercial measures against a single

Member State therefore represents an infringement of the liberty of that State and contravenes the Charter and the rules governing economic relations between nations.

Cuba has suffered many ill-effects — economic, social and political — since the imposition of the embargo about four decades ago, which has hit children, the elderly and other vulnerable sectors of society particularly hard. The embargo has also affected the tireless efforts made by the Cuban people to achieve progress and prosperity. The international community is growing increasingly concerned about the suffering of the Cuban people; it is time to put an end to this problem.

My delegation appreciates the fact that Cuba has expressed its willingness to engage in dialogue in order to put an end to the embargo. Dialogue must take place if the dispute between the two parties is to be resolved on the basis of mutual respect for the sovereignty and rights of the States concerned. States must not intervene in the internal affairs of other States, in accordance with the principles and purposes of the Charter and the principles of good-neighbourliness. My delegation believes that the normalization of relations between the United States and Cuba is in the interests of both countries.

We reaffirm the right of all people to choose their own political, economic, social and cultural system, in accordance with international law. The international community has expressed increasing support for ending the embargo imposed on Cuba. The economic, cultural and political choices of all States must be respected. In this regard, I would like to mention the ministerial declaration adopted at Cartagena, Colombia, by the States of the Non-Aligned Movement, which called for ending the embargo imposed on Cuba because it contravenes the provisions of the Charter and of international law and the principles of good-neighbourliness. I would also like to refer to the agreement concluded by the developing countries following the South Summit, held in Havana by the Group of 77 and China, which categorically rejected the imposition by any State of any measures or laws of an extraterritorial or coercive nature, whether economic or otherwise, on another State. The Summit reiterated the fact that such measures have a negative impact on development in the targeted countries, and an urgent appeal was issued by the developing countries to put an end to the embargo against Cuba.

The international community has repeatedly reaffirmed that the unilateral measures imposed against Cuba must be brought to an end. The embargo was further expanded by the adoption by the United States of the Helms-Burton Law, which also infringes on the sovereignty of States that have relations with Cuba, thus contravening the principle of the sovereign equality of States. Experience has shown that sanctions have often had negative effects on the civilian population and caused huge material and economic losses in the targeted States. That is why my delegation hopes that the embargo imposed on Cuba will be removed and that the United States will listen to the voice of the international community.

On the basis of these unshakeable principles, the Syrian Arab Republic will vote in favour of the draft resolution before the General Assembly in A/56/L.9, as we have done for the past nine years.

**Mr. Kittikhoun** (Lao People's Democratic Republic) (*spoke in French*): For too long now, an economic, financial and trade blockade has been imposed on the Republic of Cuba by the United States of America. To be sure, this benefits neither party; on the contrary, the blockade serves merely to maintain the existing tensions between those two countries and causes great suffering for the Cuban people.

The Lao People's Democratic Republic believes that discriminatory trade practices and the extraterritorial application of domestic laws contravene the principles and goals of the United Nations Charter and go against the spirit of cooperation and dialogue among States prevailing in this historical era. In accordance with General Assembly resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21 and 55/20, my country has neither promulgated nor applied laws, regulations or measures the extraterritorial effects of which could affect the sovereignty of other States and the freedom of trade and navigation.

Every country, in the light of its own specific conditions, has the right to choose its own social system and mode of development. No country has the right to interfere in the internal affairs of another. Moreover, the sovereign equality of States and the settlement of disputes by peaceful means — namely, dialogue and negotiation — are the principles that should govern international relations. On that basis, the international community should do everything in its power to create a propitious economic climate, offering

all countries, including the Republic of Cuba, equal opportunities to benefit from the international financial and trading systems.

The blockade of Cuba, as we are all aware, has gone on too long. It is time for it to end. We cannot punish a people, an entire people — the Cuban people, which has committed no crime. It is in that spirit that my delegation, as in previous years, will vote in favour of the draft resolution contained in document A/56/L.9, submitted by the Republic of Cuba.

**The Acting President** (*spoke in Spanish*): I call on the representative of Cuba to introduce draft resolution A/56/L.9.

**Mr. Pérez Roque** (Cuba) (*spoke in Spanish*): Some peculiar news has travelled around the world in recent days. For the first time ever in over 40 years, the Government of the United States has granted exceptional authorization for the sale to Cuba of certain quantities of food, medicines and raw materials for production. On this sole occasion, Cuba will be able to pay United States suppliers directly in United States dollars. Arrangements could not be made, however, for Cuban ships to transport the goods from United States ports. So intricate is the web of legal prohibitions derived from the blockade against Cuba that not even the combined goodwill of both Governments could overcome such an obstacle. Ships from the United States or third countries will handle the operation.

On 7 November, the Government of the United States expressed its deep grief and concern for the Cuban people over the extensive havoc wreaked by hurricane Michelle as it passed across Cuban territory and declared its willingness immediately to assess the need for assistance in order to provide potential humanitarian assistance. This unusual gesture was duly appreciated by Cuba. Nothing like this had ever happened before in over 40 years of tense relations between the two countries.

Cuba responded by requesting that, on this exceptional occasion, the Government of the United States allow Cuban State-run companies to expeditiously purchase from the United States certain quantities of food, medicines and raw materials for production in order to replenish the country's stocks as quickly as possible in preparation for any future natural disaster. Cuba also asked for authorization to pay for these goods in cash — in United States dollars or in any other hard currency — and to use Cuban ships to transport the goods, as this would be the most practical, rapid and cost-effective option for Cuba. These diplomatic exchanges, unlike many others in the past, were devoid of tension and characterized above all by a sense of respect and a spirit of cooperation.

This raises a question: Why were so many special negotiations required for something that constitutes a simple, common transaction for the rest of the world? Why were so many special formalities needed for Cuba to buy from the United States erythromycin for children, vitamin A, hydrocortisone, rice or powdered milk? How could such a meticulous and perfectly airtight system have been created over the years to prevent an entire people from acquiring essential foodstuffs and medicines, technology and spare parts, medical equipment and scientific information? Will anyone ever be able to explain — on the basis of ethics, international law and justice — the obsessive maintenance of the economic, financial and trade blockade imposed by the United States against Cuba for over four decades?

Yet now we have seen that Cuba has, on one occasion at least, been able to make a purchase from the United States. Does this signal the end of the blockade? No, it does not. This General Assembly must never make the mistake of interpreting this exception as the rule. Does it even mark the beginning of the end of the blockade? I could not say that for sure. Common sense is elusive at times for some politicians.

Would Cuba be willing to make new purchases under these conditions? It would be desirable, but it is practically impossible. As we have stated before, it is inconceivable for a country to buy items from the United States in the absence of normal trading relations and if it cannot sell its own goods and services there as well. It is only under these special and exceptional circumstances that we have been able to proceed in this way — with no reciprocal trade whatsoever, overcoming absurd obstacles and seeking alternatives to circumvent the countless laws and regulations that prohibit relations and trade between Cuba and the United States today. No normal trading relations between the two countries can be expected in the future unless the anachronistic United States blockade against Cuba is eliminated.

Does Cuba want an end to the blockade? Yes. The blockade is the main obstacle to Cuba's economic development today, and it is responsible for the

suffering and hardship of millions of Cubans. Does Cuba want the re-establishment of normal and mutually respectful relations with the United States? Yes, and it is ready to do so. It does not nurture futile hatreds or hopes of revenge. We are a noble people with a political culture, and we believe that millions of United States citizens and the majority of Cubans who live in the United States are also victims of the unjustifiable prohibitions of the blockade.

For the blockade to be lifted, is Cuba willing to make concessions that would affect its principles? No, a thousand times no. We know the price of independence; we have fought 130 years for it. We have already tasted the sweetness of freedom, and there is no power in the world that can make us relinquish it.

The lifting of the blockade and the end of the economic war against Cuba would require the Government of the United States to take the following decisions.

The first is to repeal the Helms-Burton Act, whose numerous aggressive measures against Cuba include heavy sanctions against people from third countries engaged in business with Cuba. We know some of these business people; they and their families have been denied visas to travel to the United States, but they have maintained their relations with Cuba with dignity.

The United States must also decide to repeal the Torricelli Act, whose measures include prohibiting ships of third countries that have called at a Cuban port from entering United States ports. The Act also prevents subsidiaries of United States companies based in third countries from selling goods to Cuba — companies from which, until 1992, our country purchased some $700 million a year in goods, particularly food and medicines.

The United States must eliminate the absurd prohibition by which goods it imports from any other country cannot contain any Cuban raw materials. Is it really justifiable to demand of a Japanese car manufacturer that, in order to export to the United States, he must certify that the steel used contains no Cuban nickel? Is it justifiable to demand of a Canadian caramel manufacturer that his products contain no Cuban sugar?

The United States must stop the relentless persecution that its embassies and agencies carry out around the world today against any potential business with Cuba, and against any attempt by Cuba to enter a new market or receive credit.

The United States must grant Cuba access to the American and international financial system. If Cuba had gained access to the $53 billion that international and regional financial institutions lent to Latin America and the Caribbean between 1997 and 2000, it would have received loans amounting to roughly $1.2 billion, under conditions incomparably more favourable than those it can currently obtain.

The United States must allow Cuba to use the American dollar in its external transactions, not only with United States companies but also with companies based in third countries — an action currently prohibited under the blockade regulations. As a result, Cuba is constantly forced to carry out currency exchange transactions, thereby losing money in the fluctuations of exchange rates.

The United States must allow Cuba to purchase freely, like any other country, in its market. This could amount to purchases of more than $1 billion a year if only one quarter of Cuba's current imports were to come from the United States, at better prices and considerable savings in freight and insurance costs and with greater ease of transportation.

The United States must allow Cuba to export freely, like any other country, to its market. This would not only benefit Cuba by giving it access to a new market, but would also give the people of the United States access to Cuban products — such as our famous cigars or the vaccine against meningococcal meningitis, which is the only one of its kind in the world.

The United States must allow its citizens to travel freely to Cuba as tourists. This would allow Cuba to receive no fewer than a million and a half visitors, who in turn would have an opportunity to travel to one of the safest and most hospitable countries in the world.

The United States must return the Cuban assets frozen in American banks, a part of which has already been arbitrarily stolen.

The United States must authorize its companies to invest in Cuba, where they would receive non-discriminatory treatment in relation to other foreign investors, with all the guarantees established by Cuban legislation.

The United States must establish regulations for the protection of Cuban trademarks and patents in the United States, pursuant to international legislation on intellectual property rights. When this happens, there will be no repetition of dishonest acts such as the theft of the Cuban rum brand Havana Club by a United States company.

The United States must eliminate the discriminatory measures currently preventing Cubans living in the United States from travelling freely to Cuba and helping financially their relatives on the island. Cubans are the only immigrant community in the United States subjected to these measures.

The last one is to negotiate with Cuba a fair and honourable arrangement to provide compensation for the nearly 6,000 United States companies and citizens whose properties were nationalized in the first years of the revolution, as part of a sovereign step that is essential for the country's socio-economic development. It was, in fact, the blockade that prevented United States citizens from receiving the relevant compensation. Cuba recognizes their rights, and it would be willing to reach an agreement that would also take into account the extremely burdensome economic and human hardships inflicted on our country by the blockade.

An end to the policy of aggression against Cuba, relentlessly and rigorously implemented by 10 successive United States Administrations over the course of more than four decades, and the establishment of normal relations between our two countries would require the Government of the United States to adopt the following decisions.

The first is to annul the Cuban Adjustment Act, which is responsible for the deaths of thousands of illegal emigrants, including children. The latest tragedy took place last week. An aliens-smuggling operation ended in the shipwreck of a boat that had set out from Miami and had illegally picked up a group of illegal emigrants off the Cuban coast, taking a tragic toll of more than 30 deaths, including many children. At a time like this, when the United States is stepping up the protection of its borders, its refusal to help regulate the migratory traffic between our two countries would be a puzzling contradiction. Cuba proposed to the United States a substantial expansion of the migration agreement currently in force and is awaiting a response.

The second decision is to cooperate with Cuba in the fight against drug-trafficking. Today there is very limited cooperation in this area. Cuba proposed a substantial increase in this cooperation, including the signing of an anti-drug agreement, and is awaiting a response from the United States.

The third decision is to end the illegal television and radio broadcasts to Cuba. How can it ever be justified for the Government of the United States to have devoted almost $400 million to this subversive programme in order to pander to the extremist minority in Miami that is profiting from this funding, instead of spending that money, for example, on computers for public schools in that country's poor neighbourhoods?

The fourth decision is to end the arbitrary inclusion of Cuba on the United States State Department's list of States that sponsor terrorism. This is an outrage to the Cuban people, who have, as everyone knows, been the victims of countless terrorist acts organized and financed with total impunity from United States territory.

The fifth decision is to end the attempts to foment subversion within Cuba, even involving the use of large sums of money from the United States federal budget, to end the campaigns of slander and pressure waged against our country in international agencies and to end the impunity enjoyed by terrorist groups that have carried out acts against Cuba from Miami.

The last decision is to abandon the continued occupation, against the sovereign will of the Cuban people, of the territory occupied by the Guantánamo Naval Base. Although today there are relations of respect and cooperation between the United Nations and Cuban military there, perhaps even foreshadowing the potential for future official relations between our two countries, and although it seems that the years when young Cubans were murdered from the base are now behind us, Cuba has not renounced the goal of someday regaining its sovereignty over that territory through political and peaceful means. If this were to happen, it would mark the end of a bitter chapter in the relations between Cuba and the United States.

The blockade imposed by the United States against Cuba must be lifted. The resolutions consistently adopted by this Assembly since 1992 cannot continue to be ignored.

The blockade is illegal. It violates the Charter of the United Nations. It affects international trade and the freedom of navigation. It imposes sanctions on businesspeople from third countries, which is blatant extraterritorial conduct.

The blockade has neither ethical nor legal justification. It violates the Geneva Conventions. It deprives the Cuban people of access to food and medicine, which is prohibited by international law even in times of war.

The blockade does not enjoy majority support in the United States. In the Senate and the House of Representatives there is obvious consensus in favour of changing this policy. The media, the churches, the business sector and average citizens have increasingly come to question why a country that does not pose any threat to the United States and does not consider itself an enemy of its people is nonetheless treated like an enemy.

The blockade violates the rights of the people of the United States in order to serve the base interests of an unscrupulous minority that has not even hesitated to use violence and terrorism against the Cuban people.

The blockade violates the rights of Cubans who live in the United States. It prevents them from maintaining normal relations with their families in Cuba.

The blockade has caused economic damage to Cuba of over $70 billion, in addition to even higher sums resulting from the human injuries and economic damage inflicted on our people throughout more than 40 years of armed aggression, sabotage and terrorism, for which our country has justly demanded compensation.

The blockade is rejected by the international community. Last year, for the ninth consecutive time, this Assembly called for the lifting of the blockade against Cuba, with 167 votes in favour of the relevant resolution.

The blockade is the gravest violation of the human rights of the Cuban people.

The blockade is maintained for reasons of United States domestic policy. It is said that the minority demanding the continuation of the blockade has electoral influence and uses its money and votes to fight any changes. It is said that this is the way politics works in the United States and that the rules simply have to be accepted. I ask: can these reasons really be used to justify the attempt to force an entire people into surrender through hunger and disease?

Those who interpret these words as a lamentation are mistaken. Those who confuse our lack of hatred with weakness are mistaken. Those who believe that the people of Cuba can be forced into surrender are mistaken. Those who think that we Cubans are willing to give up our independence and our freedom are mistaken. Those who hope that we Cubans will give up the social justice we have achieved are mistaken.

In the name of the Cuban people, in the name of international law, in the name of reason and in the name of justice, I ask the General Assembly to express its support once again for the effective ending of the economic, commercial and financial blockade imposed by the United States against Cuba.

**Mr. Shen** Guofang (China) *(spoke in Chinese)*: For nine years running, the General Assembly has adopted resolutions calling upon States to abide by the United Nations Charter and norms of international law and urging them to refrain from imposing laws and measures that are detrimental to the legitimate rights and interests of third parties. Regrettably, this just appeal of the international community has not been heeded and relevant resolutions of the General Assembly remain to be implemented.

The economic, commercial and financial embargo imposed by the United States against Cuba has continued for several decades. It has served no purpose except to keep the relations between the two neighbours extremely tense. The blockade has created huge difficulties for the Cuban people in their efforts to achieve economic and social development and carry out reform; it has seriously undermined the efforts of the Cuban Government to eliminate poverty and improve the living standards of its people; it has inflicted enormous suffering on Cuban women and children in particular, which constitutes a violation of their human rights. The unilateral actions of the United States have also impeded normal economic and trade exchanges between Cuba and many countries and have gravely encroached upon their legitimate rights and interests. It is time that this phenomenon was brought to an immediate end.

The Chinese Government has always advocated full respect for sovereign equality, non-interference in

the internal affairs of other countries and other norms of international relations. All countries have the right to choose their own social system and development model in the light of their national situation, without any interference from any other country. It is a violation of the purposes and principles of the United Nations Charter, as well as the norms of international relations, to force a country to give up the development model of its own choice or even attempt to overturn its Government by imposing a unilateral economic, commercial and financial embargo under any pretext.

Judging by the response of many countries to the Secretary-General, as well as their relevant statements, the international community as a whole harbours a strong desire for a certain country to forsake its outdated practice of economic embargo, to choose an approach of engagement and dialogue over isolation and confrontation and to resolve disputes between States through constructive dialogue and negotiation.

It is our hope that, in order to end the suffering of the Cuban people at an early date and to remove any hindrance to normal economic and trade exchanges between Cuba and other countries, the United States Government will follow the tide of history by taking constructive steps to implement the relevant United Nations resolutions and completely lift its economic, commercial and financial embargo against Cuba.

We support draft resolution A/56/L.9, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", submitted by Cuba under this agenda item.

**Mr. Alcalay** (Venezuela) *(spoke in Spanish)*: Consistently and repeatedly, both bilaterally and in international forums, and at the United Nations in particular, Venezuela has continued to express its repudiation of the passage and application of laws with extraterritorial effects that infringe the sovereignty of States. Once again, we note with concern the continued application of punitive measures, in contravention of the principles of international law and the norms of peaceful coexistence among nations.

My delegation supports the consideration of this item by the General Assembly; it is of particular importance because of the negative effects that such measures have on States, politically, economically and in terms of international law. The application of unilateral measures such as those imposed on the people of Cuba since 1996 is a clear contradiction of the realities of our times, when free access to markets and consolidation of the processes of integration are the fundamental elements of the globalization that drives the world economy. In this context, the delegation of Venezuela reaffirms its repudiation of the application of these unilateral measures, because they infringe the sovereignty of States, affect the legitimate interests of entities and citizens under the jurisdiction of third parties, have a negative impact on the freedom of trade and navigation and undermine the norms of trade established by the World Trade Organization.

The Venezuelan delegation endorses the relevant declarations adopted by the Organization of American States, the Rio Group, the Non-Aligned Movement, the Group of 15 and the Group of 77, and, most recently, just a few days ago, the Lima Declaration adopted at the Eleventh Ibero-American Summit of Heads of State and Government, held on 23 and 24 November in Peru. At the meeting the heads of State and Government agreed to state,

> "We reiterate our energetic repudiation of any application by a State of national measures that infringe international law and constitute an attempt to impose its own laws and regulations on third countries. In this regard, we call on the Government of the United States of America to put an end to the application of the Helms-Burton Act, in accordance with the relevant resolutions of the United Nations General Assembly".

The Venezuelan delegation believes that the economic, commercial and financial blockade imposed on the Republic of Cuba runs counter to international law, the principle of self-determination and the legitimate aspirations of peoples to achieve full human development and well-being.

My country hopes for an end to the blockade imposed on the Cuban people, who are suffering the consequences of the application of measures such as the ones I have described, which are outside the framework of international legality. We think that through dialogue and cooperation, efforts can be made to promote fundamental freedoms and democracy on the basis of mutual respect, confidence and independence.

The decision adopted by the United States and Cuba, which was just explained to us a few moments ago by the Minister for Foreign Affairs of Cuba, point

out a way that we hope will provide an effective end to the blockade. In that regard, I would like to express our hope that this can be achieved, thereby putting a complete end to the blockade, as we heard the Cuban Foreign Minister say at today's meeting. As it has done in the past, until the blockade is lifted my delegation will, in accordance with the criteria that have been established, continue to vote in favour of the draft resolution now before the General Assembly.

Finally, I would also like to express my gratitude for the report on this item presented to us by the Secretary-General in document A/56/276 and Add.1.

**Mr. Amer** (Libyan Arab Jamahiriya) (*spoke in Arabic*): At the Assembly's previous session, the international community reaffirmed for the ninth time its categorical rejection of the economic, commercial and financial embargo imposed by the United States of America against Cuba. A cause of deep regret and grave concern is the fact that successive American Administrations have not reversed their stand, something that even America's main allies and trade partners have objected to. In fact, some American Administrations have even adopted additional measures to tighten the embargo and widen its scope by enacting a series of coercive laws and by pressuring entrepreneurs, companies and Governments in the Third World to end their economic and trade ties with the State of Cuba.

That behaviour, which followed the Assembly's adoption by overwhelming majorities of nine resolutions, cannot be interpreted as anything else but deliberate and derisive disregard by the United States for the will of the international community and for the position adopted by many international organizations. It is also proof that Washington is intent on imposing codes of conduct that some countries must follow and on defining the kind of relations some countries must have with other countries.

As outlined in previous reports and in the report submitted to the General Assembly at this session in document A/56/276, the harsh blockade that has been imposed by the United States against Cuba for over 40 years has caused extensive harm to the Cuban people. The blockade has created difficulties and curtailed the ability of the Cuban Government to import foodstuffs, medical equipment and medicines for its citizens. This has had dire consequences for most segments of the Cuban population, including the most vulnerable among them, children and elderly persons.

The embargo is a gross violation of human rights. It also provides incontrovertible evidence refuting American allegations that the United States respects international agreements and laws regulating relations and free trade among States. It also highlights the American approach to laying siege to peoples by, inter alia, threatening to punish third States and their partners as well as individuals in order to prevent them from dealing with countries it has targeted with its sanctions, in total contravention of international instruments and norms.

The American embargo against Cuba is not the only such case. The United States is currently imposing similar sanctions against many countries, including my country. Since 1982, the United States has unilaterally imposed different sanctions regimes on American companies, preventing them from dealing with Libya. It has also denied Libyan students the right to study in American universities, and frozen Libyan funds held in American banks, both within and outside the United States.

The American authorities expanded their siege on Cuba through the Helms-Burton Act. Similarly, in 1996 the Congress adopted the D'Amato-Kennedy Act, which punishes individuals and companies that invest money in Libya to help it develop its oil exploitation capabilities. What is worse is that a few months ago the American authorities extended that law for five more years, in total disregard of the international will expressed in resolutions adopted by the General Assembly, most recently by an overwhelming majority at the previous session.

The American authorities have tried to justify their embargo against Cuba. But obviously all such justifications have proven to be futile. What is certain is that the United States siege is a flagrant act of interference in the domestic affairs of the Cuban people and a deliberate act to force on the Cuban people policies that are not in line with their beliefs and choices. That is not different from Washington's excuses for maintaining its coercive measures against my country, excuses asserting that Libyan behaviour poses a threat to American national security. One can easily see the triviality of American allegations about Libya's danger to its national security: they are false. To put it simply, such allegations are a ready-made

excuse that can be used by the United States against any people that it considers as an enemy — including the Cuban people, who have chosen to live in freedom in their land, drawing pride from their history, defending their dignity and remaining firm in their convictions, even if they run counter to the policies of their powerful neighbour.

Like all other peoples of the world, the people of Cuba would like to live in peace and to have good relations with all of Cuba's neighbours, on the basis of full equality and mutual respect. Although there is no sign of a genuine retreat by the United States from its policy of enmity towards Cuba, it is nevertheless our hope that reason will prevail over unbridled power. We also hope that a new chapter of relations between the United States and Cuba will be opened, in order to ensure harmony and peaceful co-existence. The ball is indeed in the United States court. Either it starts to engage itself in a constructive dialogue with Cuba that would end the policy of confrontation and exclusion — which would be welcomed by all countries — or it continues its current policies of embargo and confrontation to undermine the political stability of Cuba and to impede Cuba's efforts towards economic and social development. That would mean that the United States will continue to be a target of complaints and condemnation on the part of the international community. The international community believes that the current policy embodies the principle of might is right and is contrary to the purposes and principles of the United Nations Charter, the norms of international law, the Charter of Economic Rights and Duties of States and all efforts to establish a world in which constructive cooperation and mutual respect prevail.

**Mr. Swe** (Myanmar): For almost a decade, the General Assembly has urged Member States to refrain from promulgating and applying laws with extraterritorial effects. It has also urged those members that have applied, and continue to apply, those laws to repeal or invalidate them. However, to our regret, those appeals — which have been supported by an overwhelming numbers of Member States — have been to no avail. As a result, the people of the Republic of Cuba, particularly the most vulnerable sectors of its population, continue to suffer the dire consequences of the economic and financial embargo. Today we add our voice to those who have spoken before us to appeal once again to the United States to rethink and to abolish a policy that is at variance with the will of the international community.

The Millennium Summit called on us to resolve disputes by peaceful means and in conformity with the principles of justice and international law.

The Foreign Ministers of the non-aligned countries, who met at the United Nations some two weeks ago, expressed their opposition to the application of measures and legislation with extraterritorial effects and the imposition of unilateral coercive measures against a number of developing countries.

The continued imposition of an economic, commercial and financial embargo by the United States of America against the Republic of Cuba is in contravention of the principles of international law, respect for the sovereign equality of States and freedom to engage in international trade and navigation. We therefore strongly oppose such measures as the Torricelli Act, the Helms-Burton Act and other embargo regulations. Furthermore, the continued application of the policy now being pursued, although it has been implemented for more than four decades, has not served the interests of either country. For these reasons, the appeal of the international community to lift the embargo against Cuba should not be ignored any longer.

Consistent with its long-standing position and in accordance with international law and the Charter of the United Nations, the delegation of Myanmar will vote in favour of draft resolution A/56/L.9.

**Mr. Daka** (Zambia): Allow me to commend you, Sir, for the able manner in which you are conducting this debate.

My delegation has noted with appreciation the report of the Secretary-General entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" (A/56/276), which has provided us with a clear and objective analysis of the negative impact on the ordinary Cuban people arising from the economic embargo. The Secretary-General's report vindicates the position consistently held by this Assembly over the years, namely, that the embargo against Cuba hurts innocent people, particularly women and children. The Cuban people have become more determined than ever before to stand together in defence of the principles of

self-determination, sovereignty and national independence, for which they have sacrificed themselves so dearly.

On the basis of the information compiled by the Secretary-General in his latest report, my delegation will once again vote in favour of the draft resolution on this subject, contained in document A/56/L.9. Our vote is based on my Government's firm belief in the sanctity of the Charter of the United Nations, which binds all 189 Member States. In opposition to this position, as vindicated by the Secretary-General's report, measures such as those contained in the Helms-Burton Act violate international law, in particular international humanitarian law. My Government has been and is committed to strengthening universal respect for international law in the conduct of all forms of relations among sovereign States.

My Government is concerned that the continued embargo against Cuba has a direct negative impact on the principle of free trade and navigation that has been espoused by this Assembly over the years. The United Nations, in this regard, should begin to explore ways in which to assist the Cuban authorities in overcoming the legacies of the 42-year-old embargo. Lifting the embargo would go a long way towards strengthening regional trade and navigation.

In conclusion, my delegation wishes to appeal to all Member States of the United Nations to support this call for the immediate lifting of the sanctions against Cuba.

**Mr. Aldouri** (Iraq) (*spoke in Arabic*): The fraternal people of Cuba have been suffering for over 40 years from the blockade imposed on them by the United States. This blockade has caused immense suffering for the civilian population and has damaged the Cuban economy. The 1996 Helms-Burton Act has also had significant extraterritorial effects, infringing on the sovereignty of other States and on their right to free trade with Cuba. This is in flagrant violation of the principles enshrined in the Charter, international law and the norms of international commercial relations.

It is high time the international community adopted measures to protect the sovereignty of all its Member States and their right to self-determination, condemned arbitrariness and the systematic violation of international law and guaranteed respect for the will and choices of States, whatever their size, importance, level of economic development or political regime.

Iraq condemns the policy of the United States which scorns the will of the international community as recently expressed in resolution 55/20, which was adopted with 167 votes in favour, and was opposed only by the Marshall Islands, the United States and the Zionist entity.

The United States embargo against Cuba is not a unique case in its relations with countries of the third world, which have been marked more and more by arbitrariness since the end of the cold war. The United States is applying economic sanctions against a large number of countries, especially developing countries.

It is the only country that insists on continuing the sanctions against Iraq, even though my country has complied with its international obligations. These sanctions are a prolongation of the military aggression against Iraq, without the use of the military machine. They have caused the deaths of 1.5 million Iraqis, most of whom are children. This is genocide and a crime against humanity, for which the United States alone is responsible.

United States leaders claim that lifting the embargo against Cuba requires a change of regime in that country. They say the same with regard to Iraq. Using economic sanctions to change the target country's political regime or economic system undermines the very basis of international relations and takes us back to the days of the law of the jungle. We call upon the international community to urge the United States to cease using economic sanctions for political purposes and to rescind those sanctions irrespective of the conditions that had caused them to be imposed. Those sanctions are in violation of international law and the rules of justice and equity. We call upon the United States to change its behaviour and to conform to the will of the international community, end its sanctions against peoples and begin to engage in dialogue and cooperation in conformity with the provisions of the Charter and of international law. That means an end to the embargo against Cuba in all its forms. We believe that the General Assembly will adopt the draft resolution before it.

**Mr. Lewis** (Antigua and Barbuda): I have the honour to speak on behalf of the States members of the Caribbean Community (CARICOM). Those States are the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname

Trinidad and Tobago and my own country, Antigua and Barbuda, which are Members of the United Nations.

We join with those other Member States which have expressed the need to bring to an end the economic, commercial and financial embargo imposed by the United States of America against Cuba. CARICOM States wish to reaffirm the importance they attach to the strict observance of the principles of international law and to freedom of trade and navigation. We remain opposed to the extraterritorial application of national legislation which would seek to impose artificial barriers to trade and which denies the sovereign equality of States.

In keeping with a policy of mutual respect, good neighbourliness and respect for the principles enshrined in the Charter of the United Nations, CARICOM countries have sought to expand and strengthen their relations with Cuba and have sought to promote Cuba's gradual economic integration into the subregion through functional cooperation and trade. We believe that a constructive process of dialogue would remove the dangers of tension and conflict in the Caribbean and would improve the prospects for peaceful development in our region.

Accordingly, we support the content of the draft resolution before the Assembly in document A/56/L.9 and will vote in favour of its adoption.

**Mr. Nguyen Thanh Chau** (Viet Nam): I am not going to tell the story of my life. But I had the opportunity to go to Cuba in 1986, and last year again I accompanied my President to Havana for the South Summit. On those two visits, 15 years apart, I was amazed by what I witnessed on that tiny island. The streets of beautiful and bustling Havana were filled with laughter day and night, as people old and young danced to the music from very old radios. Children in school uniforms went to school looking very happy. Tourists came from Latin American countries and from Europe to enjoy the Caribbean hospitality and ambience. Successful joint-venture projects between Cuba, French, Spain, Germany and other countries were visible in many parts of Cuba. I could not believe that Cuba had been under an economic, commercial and financial embargo for more than four decades, an embargo which should go into the *Guinness Book of Records* as the longest one in recent history. Three generations of Cubans have been born in that span of time, and they have grown used to the hardship brought about by the embargo imposed on them. They have grown used to making do with second best for daily necessities. But one thing always has to be the best: their patriotism. We all admire those people for the great achievements they have made and for what they have contributed to the international community.

There are things which are to be judged by history. But this embargo can be judged by us, the ordinary people, as being too long and as being counter-productive on both ends. It runs counter to the Charter of the United Nations and to the principles and norms of international law that govern international relations because its aim is to force people, through hunger and disease, to abandon a course of development of their own choice. It only makes innocent people, including women and children, suffer — and suffer enormously. That is why people have unanimously voiced their condemnation of sanctions and embargoes and have demanded that these should be lifted so as to allow the Cuban people to concentrate all their energy on the reconstruction of their country for a much better life.

That is why the General Assembly has, for the past nine years, by an overwhelming majority, continuously voted in favour of draft resolutions calling for an end to the economic, commercial and financial embargo against the Cuban people, hoping against hope that common sense, reason, justice and morality would be heeded. As it has on past draft resolutions on this item, the delegation of Viet Nam will vote in favour of draft resolution A/56/L.9, on ending the embargo — something which is overdue.

**Mr. Ling** (Belarus) (*spoke in Russian*): In the course of the fifty-fifth session of the General Assembly, the Republic of Belarus, along with the overwhelming majority of other States, voted in favour of resolution 55/20, on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

The discussion of this question at the fifty-sixth session gives us once again an opportunity to confirm our commitment to respect for the fundamental principles of the sovereign equality of States, non-intervention in their internal affairs and freedom of international trade and navigation. Belarus has consistently favoured the abolition of laws and measures adopted unilaterally against Member States, laws whose extraterritorial consequences affect the

sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and freedom of trade and navigation.

In accordance with the fundamental principles of international law, including the provisions of the United Nations Charter, the Republic of Belarus has never used and has no intention of ever using any laws or measures of the kind I have mentioned.

Belarus believes that international disputes must be resolved solely by means of negotiations and on the basis of respect for the principles of equality and mutual benefit. The Government of my country is convinced that every possibility exists — as well as the fundamental conditions — for the gradual resolution of the dispute between the United States of America and Cuba, and it calls on both parties to step up their efforts to this end.

My delegation would like to express its genuine condolences and solidarity to the friendly people of Cuba in connection with the devastating effects of hurricane Mitchell, which caused such suffering to the people of Cuba and considerable losses to various sectors of the economy. Natural catastrophes like hurricane Mitchell require special solidarity on the part of the international community.

In this regard, it is obvious that unilateral measures of economic and political coercion cannot possibly have a place in the context of humane behaviour and mutual assistance, which should underlie contemporary international relations.

On the basis of the foregoing, Belarus supports, and calls upon other Members of the United Nations to support, the draft resolution submitted for the consideration of the General Assembly at this meeting.

**Mr. Uanivi** (Namibia): The common view, reflected in the report of the Secretary-General on the unilateral economic, financial and commercial embargo against Cuba, is that the embargo must be lifted. The Charter of the United Nations is also clear with respect to the sovereignty of all States, big and small.

The people of Cuba have endured hardship and suffering for many years because of the extraterritorial measures imposed on Cuba by the United States — a blockade which is not only in flagrant violation of international law but also a serious form of interference in the internal affairs of the Republic of Cuba. On many occasions, the Namibian Government has expressed its support for the people of Cuba in opposing the embargo. Once again, my delegation will vote in favour of the draft resolution on this subject, submitted by Cuba, in document A/56/L.9.

**The Acting President** (spoke in Spanish): We have heard the last speaker on the debate on agenda item 34.

We shall now proceed to consider draft resolution A/56/L.9.

I shall now call on those representatives who wish to explain their votes or positions before the voting. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

**Mr. De Loecker** (Belgium) (*spoke in French*): I have the honour to speak on behalf of the European Union. The countries of Central and Eastern Europe associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus and Malta, as well as Iceland, a European Free Trade Association country member of the European Economic Area, align themselves with this explanation of vote.

The European Union believes that United States trade policy towards Cuba is essentially a bilateral issue. Nonetheless, the European Union has repeatedly and clearly voiced its opposition to the extraterritorial nature of the embargo the United States decreed in the 1992 Cuban Democracy Act and the 1996 Helms-Burton Act. The European Union cannot accept the United States attempting to define or restrict unilaterally the economic and commercial relations that the Union maintains with third countries. From this viewpoint, in 1996 the Council of Ministers of the European Union adopted a Council regulation and a joint action aimed at protecting the interests of natural or legal persons that are nationals of the European Union against the extraterritorial effects of the Helms-Burton Act.

In this same context, in 1998 the European Union and the United States of America adopted a series of measures that included derogations from titles III and IV of the Helms-Burton Act, the United States Government's commitment to adopt no further extraterritorial legislation of this kind and an agreement providing for greatly increased investment

protection. Once again, the European Union notes with regret that the United States Government has not acted in accordance with its own commitments. We call upon the United States Government to do so, as we consider this a key point in resolving this difference.

I should also like to reaffirm that the European Union's major objective in its relations with Cuba, as described in its Common Position of 1996, is to encourage the process of progressive and peaceful transition towards a pluralist democracy and respect for human rights and fundamental freedoms, as well as towards economic recovery. In this respect, although the socio-economic situation remains precarious, the Union has noted signs of improvement in the standard of living of the population. Nonetheless, the European Union continues to be concerned by the political situation in Cuba. It therefore expresses the hope for substantial and lasting improvements in the situation, particularly with regard to respect for human rights, even if some early, tenuous signs of improvement have been observed.

The European Union once again stresses the responsibility of the Cuban authorities on the subject of human rights, such as civil and political rights. We encourage them to free all prisoners of conscience and to integrate them fully into society. We unreservedly condemn the violations of human rights that continue to take place in Cuba. We appeal the Cuban authorities to cooperate fully with international human rights bodies and mechanisms.

The European Union encourages Cuba to continue to be active in various international and regional forums. The Union acknowledges that measures have been taken by the Cuban Government to improve the country's economic integration into the region. The Union considers that the gradual and irreversible opening of the Cuban economy to the outside world continues to be necessary, and it reaffirms its desire to be Cuba's partner in that process.

The European Union notes with concern the observations made in the field by United Nations agencies and programmes and deplores the negative consequences of the economic, commercial and financial embargo imposed by the United States of America against the Cuban people.

The Union wants change in Cuba, but does not want to impose it by coercive measures. We are in favour of a constructive and frank dialogue on all issues of common interest. The forthcoming resumption of such a dialogue between the Union and the Cuban authorities is an encouraging sign.

For all of these reasons, the European Union will vote unanimously in favour of the draft resolution before us today.

**Mr. Cunningham** (United States of America): The United States opposes this draft resolution. Our trade embargo against the Government of Cuba is a matter of bilateral trade policy and not an issue that the General Assembly should consider. We do not forbid other nations from trading with Cuba; that is their decision. We choose, because of the repressive policies and actions of the Cuban Government, not to trade with that Government. We have every right to do so.

Our bilateral economic trade embargo represents one element of our policy aimed at promoting democracy in Cuba. While maintaining the bilateral trade embargo, the United States has moved over the past few years to dramatically support the Cuban people. United States food sales are now legal to Cuba, and the Cuban Government is, as we speak, negotiating with United States companies the purchase of millions of dollars' worth of food. The Cuban Government reversed its policy of refusing to buy our food, after turning down our post-Hurricane Michelle offer of disaster assistance.

The United States has been extremely generous in providing humanitarian assistance to Cuba. Last year over $800 million in direct cash remittances and $350 million in humanitarian donations were passed from Americans to Cubans. This is a significant figure in a country with an estimated yearly gross domestic product of $12 billion.

The goal of our policy is to foster a transition to a democratic form of government to protect human rights, to help develop a civil society and to provide for the economic prosperity that the Cuban Government's retrograde economic policies are denying the Cuban people.

Cuba maintains that the human rights of the Cuban people — or rather, the lack thereof — are a concern for them alone. The United States strongly disagrees. Our fundamental premise, based on the Universal Declaration of Human Rights, is that human rights violations in any one State are of concern to the entire international community. This observation is

particularly relevant given the continued harassment of independent voices in Cuba and the continued imprisonment of people such as Felix Bonne and Elias Biscet, who were locked up simply for expressing their opposition to the regime.

The focus of the international community, as manifested in the United Nations, should be on the continuing human rights crisis in Cuba rather than on bilateral aspects of United States efforts to facilitate a peaceful transition to democracy on that island.

Cuba, long out of step with the trend of democratization in the world, illustrated by the recently adopted Inter-American Democratic Charter, has proved itself even more out of step with its recent hideous remarks on the United States reaction to the 11 September terrorist attacks. This country is an anachronism in the democratic Western hemisphere, a throwback to a crueler and less free time. The draft resolution distracts the attention of the international community and, worse, is used by the Cuban Government to justify its continued oppressive policies.

**Mr. Hønningstad** (Norway): The Norwegian Government believes that there is a clear distinction between unilateral measures and sanctions adopted by the international community through the United Nations. In our view, no country should impose its legislation on third countries.

Norway will therefore once again vote in favour of the draft resolution contained in document A/56/L.9.

This does not mean that Norway would not like to see changes in the attitude of the Cuban Government towards human rights. The embargo cannot justify limitations on civil and political rights in Cuba, such as freedom of expression and association.

**Mr. Paolillo** (Uruguay) (*spoke in Spanish*): I am speaking in explanation of vote on behalf of the member States of the Southern Common Market (MERCOSUR) — Argentina, Brazil, Paraguay and Uruguay — and the associated countries Bolivia and Chile.

As in previous years, the member States of MERCOSUR and the associated countries will vote in favour of the draft resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

In various communiqués issued by the Rio Group, the General Assembly of the Organization of American States, the Ibero-American Summit and the Latin American Economic System, the countries of Latin America have stated that the extra-territorial implementation of the domestic law of a State violates the principle of non-intervention in the internal affairs of other States and that, furthermore, the embargo against Cuba violates the provisions of the World Trade Organization (WTO) and affects in particular the civilian population of Cuba.

The implementation of unilateral coercive measures does not contribute to the promotion of a democratic system nor to respect for, or the safeguarding of, human rights.

To insist on maintaining the blockade is even less justified nowadays, at a time when horrendous events have revealed the magnitude of the dangers threatening humankind and the extent of our vulnerability to them. This is not the time to continue to implement unilateral measures that violate internationally accepted norms and principles, but, rather, to strengthen and consolidate our solidarity and to move forward along the path of dialogue and understanding. We believe that maintaining these sanctions weakens us in the fight against our common enemies and is contrary to the spirit of our times.

For all of these reasons, we will join the majority of the international community and vote in favour of the draft resolution.

**Mr. Kitagawa** (Japan): Japan shares the concern expressed by many delegations today regarding the extra-territorial application of jurisdiction such as that arising from the Helms-Burton Act of the United States.

My Government has been closely following the implementation of the legislation as well as the circumstances surrounding it, and its concerns remain unchanged. For that reason, my delegation will vote in favour of the draft resolution before us.

While Japan supports the draft resolution, it questions whether the General Assembly is, in fact, the most suitable forum in which to address the very complex issue of the United States embargo against Cuba. Japan believes that it is desirable for both countries to seek a solution through bilateral dialogue

and thus calls upon them to strengthen efforts to that end.

**Mr. Rim Song Chol** (Democratic People's Republic of Korea): My delegation is taking the floor to explain its position before a vote is taken on draft resolution A/56/L.9, submitted by Cuba under agenda item 34, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

It is the consistent, principled position of the Government of our Republic to oppose the imposition on sovereign States of all forms of sanctions, which restrain the independent development of such States. The unilateral and extraterritorial imposition of sanctions by the United States against Cuba are the result of the hostile policy adopted by the United States towards Cuba in an attempt to change the political, economic and social system there. These sanctions constitute a violation of the principles of respect for the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation enshrined in the United Nations Charter and in international law.

The sanctions imposed by the United States against Cuba have a negative impact on the lives of the Cuban people, obstructing economic development, disrupting living conditions and compromising the right to development, and damage the interests of third countries which have economic and trade relationships with Cuba.

In this context, my delegation strongly urges the United States to end the economic, commercial and financial embargo against Cuba at the earliest possible date, in conformity with the demands of the international community. We will therefore vote in favour of the draft resolution.

**Mr. Stanislavov** (Russian Federation) (*spoke in Russian*): Russia shares the view of the overwhelming majority of the United Nations with regard to the inadmissibility of unilateral actions by States undertaken in violation of the United Nations Charter and the fundamental principles and norms of international law. On the basis of that principled position, Russia will vote in favour of the draft resolution on the necessity of ending the economic, commercial and financial blockade of by the United States against Cuba.

We consider the continuation of the economic, commercial and financial blockade of Cuba to be a legacy of the cold war that does not reflect the current state of international relations or the fundamental principles of international law. Russia is convinced that putting an end to the embargo against Cuba and normalizing relations between the United States and Cuba in various areas would improve relations in the region and promote Cuba's future inclusion in the international economic system, thus bringing about positive changes in its economic and social life. We would welcome any practical steps to that end, within the framework of, inter alia, bilateral humanitarian cooperation.

Firmly guided by the principles, referred to in the draft resolution, of the sovereign equality of States, non-intervention in the internal affairs of States and freedom of international trade and navigation, Russia reaffirms its intention to continue to develop normal trade and economic relations with Cuba. At the same time, we would like to express the hope that a constructive change will be made in American policy towards Cuba in the spirit of the historic decisions taken by the leaders of the Members of the United Nations during the Millennium Summit and the Millennium Assembly. That was the precise thrust of a key provision of the Millennium Declaration on strengthening respect for the principle of the primacy of law at both international and domestic levels.

**The Acting President** (*spoke in Spanish*): The Assembly will now take a decision on draft resolution A/56/L.9.

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea,

Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

*Against:*

Israel, Marshall Islands, United States of America

*Abstaining:*

Latvia, Micronesia (Federated States of), Nicaragua

*Draft resolution A/56/L.9 was adopted by 167 votes to 3, with 3 abstentions* (resolution 56/9).

**The Acting President** (*spoke in Spanish*): May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 34?

*It was so decided.*

*The meeting rose at 12.30 p.m.*